

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
Minutes of Meeting No. 1902  
Wednesday, October 7, 1992, 1:30 p.m.  
City Council Room, Plaza Level, Tulsa Civic Center

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Ballard	Buerge	Gardner	Linker, Legal
Broussard, Secretary	Neely	Hester	Counsel
Carnes	Selph	Matthews	
Doherty, Chairman		Peters	
Horner		Stump	
Midget, Mayor's Designee		Wilmoth	
Parmeale, 1st Vice Chairman			
Wilson			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, October 6, 1992 at 9:50 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Doherty called the meeting to order at 1:35 p.m.

**Minutes:**

Approval of the minutes of September 16, 1992, Meeting No. 1900:

On **MOTION** of **HORNER**, the TMAPC voted **5-0-2** (Broussard, Carnes, Horner, Midget, Wilson "aye"; no "nays"; Ballard, Doherty "abstaining"; Buerge, Neely, Parmele, Selph "absent") to **APPROVE** the minutes of the meeting of September 16, 1992 Meeting No. 1900.

Approval of the minutes of September 23, 1992, Meeting No. 1901:

On **MOTION** of **CARNES**, the TMAPC voted **5-0-2** (Carnes, Doherty, Horner, Midget, Wilson "aye"; no "nays"; Ballard, Broussard "abstentions"; Buerge, Neely, Parmele, Selph "absent") to **APPROVE** the minutes of the meeting of September 23, 1992 Meeting No. 1901.

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**REPORTS:**

**Committee Reports**

**Chairman's Report**

Chairman Doherty reported on meeting with the City Development Committee regarding signs. The next meeting is scheduled for October 13, 1992 and is tentatively scheduled to be on the City Council agenda October 15, 1992.

**Rules and Regulations Committee**

Mr. Parmele announced the Rules and Regulations Committee meeting scheduled for October 8, 1992, to review subdivision updates, has been rescheduled for November 4, 1992 at 11:30 a.m. in the INCOG large conference room.

**Budget and Work Committee**

Ms. Wilson announced the Budget and Work Program Committee has a meeting scheduled for October 28, 1992 at 11:30 a.m. in the INCOG large conference room, for the first quarter review for 1993, July through September.

**Director's Report**

Mr. Gardner suggested November 4, 1992 be the public hearing date to show the Harvard extension, recently approved as part of District 26, on the Major Street and Highway Plan (MSHP). The Outer Loop, the portion Broken Arrow has adopted, also needs to be shown on the Major Street and Highway Plan. Chairman Doherty directed staff to set a public hearing November 4, 1992 to consider update of the MSHP.

**SUBDIVISIONS:**

**PRELIMINARY APPROVAL:**

**Hunters Bend (PUD 447) (2783) (PD-26) (CD-8)**

E. 110th Street & S. Yale Avenue

(RS-2, RS-1)

This plat is an updated submittal of a plat previously processed as a sketch plat titled "Summerville Heights". (TAC: 7/14/88 and 12/15/88). The street layout is the same except the cul-de-sac on E. 110th Place has been eliminated and the detention pond expanded into that area. (This pond will serve this subdivision and the one working to the east titled "Southern Woods Estates".)

The Staff presented the plat with the applicant represented by Jack Cox.

On MOTION of FRENCH, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the PRELIMINARY plat of Hunters Bend, subject to the following conditions:

1. Show the following on the face of plat:

- (a) PUD No. 447; Under Title Block: "A Subdivision in the SW/4, SW/4 of Section 27, T-18-N, R-13-E, in the City and County of Tulsa, Oklahoma."
  - (b) Show a graphic scale: Identify adjacent properties as unplatted or by name of plat. Show right-of-way widths on internal streets. Show block numbers.
  - (c) Show Book/Page of right-of-way dedication on Yale. (Probably same as shown on 111th Street. Check?) Dimension 33' right-of-way and the 17' being dedicated by this plat.
  - (d) Show street names for Yale and 111th. Correct stub to the east to show "E. 110th St. S." and make sure it matches with Southern Woods Estates.
2. Covenants: (See draft copy with changes and/or corrections by Staff)
  3. All conditions of PUD 447 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1170 of the Zoning Code, in the covenants.
  4. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property lines and/or lot lines.
  5. Water plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat. Include language for Water and Sewer facilities in covenants.
  6. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owners(s) of the lot(s).
  7. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat.
  8. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa.

9. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
10. Street names shall be approved by the Department of Public Works and shown on plat.
11. It is recommended that the developer coordinate with the Department of Public Works during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of plat.)
12. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
13. The key or location map shall be complete.
14. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.
15. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat, including documents required under Section 3.6-5 of Subdivision Regulations.
16. All (other) Subdivision Regulations shall be met prior to release of final plat.

Staff Comments

Mr. Wilmoth advised there are no waivers or variances and Staff recommends approval subject to conditions.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Neely, Parmele, Selph "absent") to **APPROVE** the Preliminary Plat of Hunters Bend subject to conditions as recommended by Staff.

\* \* \* \* \*

Southern Woods Estates III (PUD 494) (2783) (PD-26) (CD8)

East 111th Street South & S. Fulton Avenue (AG to RS-2 pending)

Since a PUD is pending on this tract and the plat will be the detail site plan (except the entry features), this TAC review will be forwarded to TMAPC as part of the PUD process. However, preliminary approval is not usually recommended until after the PUD has been approved by both TMAPC and City Council.

The Staff presented the plat with the applicant represented by Phil Smith.

Staff advised that the developer is providing a 60' collector street (36' paving) along the easterly portion of this plat. The lots siding to the collector will not have any driveway access to the collector, as well as no access on those two lots on either side of the main entry at Fulton Avenue. Staff would like to have seen a curvilinear alignment for the collector street. However, almost all of the plats in this section are based on a grid system and not a curvilinear layout. It appears that to provide a curvilinear layout and maintain the 77' wide lots, it would result in a loss of at least ten lots. Therefore, TAC (including Traffic Engineering) had no objections to the layout, subject to the following change:

Eliminate the stub street east from Granite on 110th. East 109th Street from Granite Avenue to the east may be 50 right-of-way. Phil Smith presented a revised layout with the changes discussed. An additional street will also be stubbed north. It was the consensus of the TAC that the location of the stub streets to the north in the revised layout would fit the developing street pattern in this section and facilitate drainage and traffic flow.

On MOTION of MATTHEWS, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the PRELIMINARY plat of Southern Oaks Estates III as submitted this date with the recommended changes, subject to the following conditions:

1. The alignment of the collector street (Fulton/110th/Granite) meet the approval of the Department of Public Works (Traffic). (Alignment and widths acceptable as submitted, with the changes recommended regarding stub streets to the east and north.)
2. Covenants and the face of the plat should agree. There are some building lines permitted within the covenants that do not show on face of plat. Also there are some duplications in restrictions. Some are listed in the PUD conditions and listed again in the private restrictions. These duplications should be combined where possible to eliminate unnecessary verbiage.
3. All conditions of PUD 494 shall be met prior to release of final plat, including any applicable provisions in the

covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1107 of the Zoning Code, in the covenants.

4. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property lines and/or lot lines.
5. Water plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat.
6. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owners(s) of the lot(s).
7. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat.
8. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
9. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
10. Street names shall be approved by the Department of Public Works and shown on plat.
11. All curve data, including corner radii, shall be shown on final plat as applicable.
12. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
13. It is recommended that the developer coordinate with the Department of Public Works (Traffic) during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of plat.)
14. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.

15. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
16. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. A building line shall be shown on plat on any wells not officially plugged.
- \*\*17. The Zoning Application Z-6368 shall be approved and the ordinance therefor published before final plat is released. Plat shall conform to the applicable zoning approved.
18. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat, including documents required under Section 3.6-5 of Subdivision Regulations.
19. All (other) Subdivision Regulations shall be met prior to release of final plat.

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NOTE: Since the PUD is pending TMAPC approval, these recommendations will be forwarded to the Planning Commission, noting the plat is the detail site plan review. Upon approval of the PUD by City Council, the plat will be scheduled for approval of TMAPC at the next regular Land Division meeting.

\*\*Note: STAFF UPDATE:

City Council approved PUD on 9/17/92 as recommended by TMAPC, including the zoning application Z-6368.

Staff Comments

Mr. Wilmoth advised the concept plan and the plat are the same. In response to a question from Mr. Doherty, Mr. Wilmoth advised there are stubs to the east and two to the north. Mr. Wilmoth pointed out the plat indicates 15' building lines along the collector street along the west side. Twenty feet is the requirement by the PUD and this is what staff will require unless a minor amendment is filed and approved prior to final plat approval.

Mr. Gardner added this item requires waiver of the Major Street and Highway Plan since the collector street width stops one lot short of the edge of the subdivision.

**TMAPC Action; 7 members present:**

On MOTION of CARNES, the TMAPC voted 7-0-0 (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Neely, Parmele, Selph "absent") to APPROVE the Preliminary Plat for Southern Woods Estates and WAIVE the subdivision regulations requiring conformance with the Street Plan per Staff recommendation.

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**FINAL APPROVAL AND RELEASE:**

West Highlands Corner (382) (PD-8) (CD-2) (CS)  
SE/c W. 61st St. & S. 33rd W. Ave.

**Staff Comments**

Mr. Wilmoth commented that some items are yet to be worked out in the written portion of the plat. The plat has been reviewed with the Legal Department, and Staff is satisfied with the release and final approval but will be subject to approval of format by the Legal Department.

**TMAPC Action; 7 members present:**

On MOTION of WILSON, the TMAPC voted 7-0-0 (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Neely, Parmele, Selph "absent") to APPROVE the Final Plat of West Highlands Corner and RELEASE same as having met all conditions of approval as recommended by Staff and subject to approval of form by the Legal Department.

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Oak Leaf II (PUD 316-1) (2483) (PD-18) (CD-8) (RS-3, CO)  
East 93rd St. & S. 86th E. Ave.

Chairman Doherty advised that Staff is not prepared to release this item, and hearing no objection, struck the item from the agenda.

\* \* \* \* \*

Pecan Chase Amended (PUD 431-2) (2783) (PD-26) (CD-8)  
East 101st Street & S. Maplewood Ave.

(RS-3)

Staff Comments

Mr. Wilmoth advised all items are in order and asked it be subject to form by the Legal Department.

TMAPC Action; 7 members present:

On MOTION of CARNES, the TMAPC voted 7-0-0 (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Neely, Parmele, Selph "absent") to APPROVE the final Plat of Pecan Chase Amended and RELEASE same as having met all conditions of approval as recommended by Staff subject to approval of form by the Legal Department.

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VACATION OF PLAT:

Pecan Chase (PUD 431-1) (2783) (PD-26) (CD-8)  
East 101st St. & S. Maplewood Ave.

(RS-3)

Staff Comments

Mr. Wilmoth made the following report:

This is a request to vacate the underlying plat for a new plat titled "PECAN CHASE AMENDED" which is in progress. No lots have been sold in this subdivision, so the plat is being vacated pursuant to the provisions of Title 11, OS, Sect. 42-106, whereby a plat may be vacated by the owner anytime before the sale of any lots. This may be done by a written instrument and approved by the City. In this case this is a PUD and the City is also a party to the plat. All conditions of the PUD will be included in the new plat. It is recommended the document be APPROVED, subject to approval of form by City Attorney's office.

There were no interested parties present.

TMAPC Action; 7 members present:

On MOTION of CARNES, the TMAPC voted 7-0-0 (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Neely, Parmele, Selph "absent") to APPROVE Vacation of plat for Pecan Chase.

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EXTENSION OF APPROVAL: 3rd request - Recommend extension of one year.

Gilcrease Oaks (PUD 413-A)(392) (PD-10)(CD-2) (CS, RM-1, RS-3)  
NE/C Keystone Expressway & Gilcrease Museum Rd.

Staff Comments

Mr. Wilmoth advised Staff recommends approval.

TMAPC Action; 7 members present:

On MOTION of MIDGET , the TMAPC voted 7-0-0 (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Neely, Parmele, Selph "absent") to APPROVE Extension of Approval of Gilcrease Oaks for one year.

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ACCESS CHANGE ON RECORDED PLAT:

D-Landco Addition (1292) (PD-7)(CD-2) (CS)  
SE/c W. 14th Place & S. Denver Ave.

Staff Comments

Mr. Wilmoth made the following report:

Purpose or reason for change:

To relocate one access point on south Denver Avenue 30' north so it is all on Lot 2. No new access is being created. Lot 1 also has access to 15th Street.

Recommendation of Department of Public Works (Traffic), APPROVAL; Staff recommends APPROVAL.

There were no interested parties present.

TMAPC Action; 7 members present:

On MOTION of CARNES, the TMAPC voted 7-0-0 (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Neely, Parmele, Selph "absent") to APPROVE Access Change on Recorded Plat of D-Landco Addition.

\* \* \* \* \*

QuikTrip No. 21 (2094) (PD-17) (CD-8)  
SW/c E. 31st St. & S. 129th East Ave.

(CS)

Staff Comments

Mr. Wilmoth made the following report:

Purpose or reason for change:

To move one access point 12' south. No additional access points are being granted and this is only a relocation.

Recommendation of Department of Public Works (Traffic)  
**APPROVAL**; staff recommends **APPROVAL**.

There were no interested parties present.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Neely, Parmele, Selph "absent") to **APPROVE** Access Change on Recorded Plat for QuikTrip No. 21.

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Cedar Ridge Village (2483) (PD-26) (CD-8)  
NW/corner of E. 101st St. & S. Mingo Road

(CS)

Staff Comments

Mr. Wilmoth made the following report:

Purpose or reason for change:

Development plans and shopping center layout not available at time of platting. The change reflects current development plans per site plan approved by the Department of Public Works.

Recommendation of Department of Public Works (Traffic),  
**APPROVAL**; Staff recommends **APPROVAL**.

There were no interested parties present.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Neely, Parmele, Selph "absent") to **APPROVE** Access Change on Recorded Plat for Cedar Ridge Village.

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WAIVER REQUEST; Section 213:

BOA-15950 Romoland (994) (PD-17) (CD-6)  
1430 S. 131st E. Ave.

(RS-2)

Staff Comments

Mr. Wilmoth made the following report:

This is a request to waive plat on Lots 3 & 4, Block 12 of the above named subdivision. There have been two previous Board cases, #11812 and #13812 on which the plat requirement was waived on 2/2/83 and 1/8/86. An additional 5' of right-of-way along S. 131st E. Avenue and a perimeter utility easement was required on the previous waivers. The church only used Lot 3, and a perimeter easement and 5' of additional right-of-way was dedicated. (All filed of record). To expand the church, Lot 4 (the south lot) will be utilized so this current BOA application (#15950) was processed and approved. The Board approved the church use on both lots, subject to a tie contract joining the lots as one. This has been received and completed. The Building Inspection Department has advised that a number of Departments have already approved this construction through the permit review process. The east/west utility easement on the south side of Lot 3 has been closed by Ordinance #17742, 7/20/92. Further action through District Court to vacate the easement should be in progress. (Not a function of TMAPC). (File No. 13181-G; CJ-92-4691)

The TAC reviewed this same plot plan and request on 2/11/92, but the applicant was not present and there were a number of concerns and/or requirements to be made. Since the applicant was not represented, the TAC tabled the request without any further action. The TAC review this date (9/22/92) will serve to re-activate the request so it may be forwarded to the Planning Commission for action.

The applicant was represented by Gary Victor.

The Department of Public Works (Water & Sewer) advised that they are recommending a "stub out" sanitary sewer main to provide for future sanitary sewer service when available.

On MOTION of FRENCH, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the waiver of plat on BOA 15950, subject to the following conditions:

1. Provide an additional 5' of R/W on 131st E. Ave to meet the minimum of 25' from centerline per Street Plan. (Applies to Lot 4 only. Right-of-way received on Lot 3.)
2. Provide an 11' perimeter easement along the west and south side of Lot 4.

3. Health Department approval of the existing septic system and/or up-grading of same. (Tie Contract has joined both lots as one.)
4. Grading and/or drainage plan approval by the Department of Public Works (Stormwater) in the permit process. (Fees paid on Lot 4 in 1983. Fees can be paid on the remainder, Lot 3.)
5. Provide a "stub out" sanitary sewer line in accordance with Section 411.3 of the Subdivision Regulations subject to approval of the The Department of Public Works (Water & Sewer) in the permit process.

There were no interested parties present.

**TMAPC Action; 7 members present:**

On MOTION of CARNES, the TMAPC voted 7-0-0 (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Neely, Parmele, Selph "absent") to APPROVE the Waiver Request; Section 213 BOA-15950.

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**LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:**

L-17503 (2692) Goins	(PD-8) (CD-2)	1049 W. 49th	RS-3
L-17596 (3602) Morning Star	(PD-2) (CD-1)	E. Pine Street	CS
L-17597 ( 983) Bhow	(PD18) (CD-8)	7229 Sleepy Hollow Dr.	RS-1
L-17598 (3492) Denton	(PD-8) (CD-2)	3059 W. 57th Street	RS-3
l-17600 ( 583) Arnold	(PD18) (CD-9)	E. 69th St. S.	RS-1
L-17604 (2692) Goins	(PD-8) (CD-2)	1049 W. 49th	RS-3
L-17605 ( 474) Hendrickson	(PD19) (Cnty)	12725 S. 129th E. Ave.	AG
L-17608 ( 683) Coury	(PD18) (CD-8)	1323 E. 71st St. S.	CS, OM

**Staff Comments**

Mr. Wilmoth stated the above-listed lot splits meet regulations, and Staff recommends approval.

**TMAPC Action; 7 members present:**

On MOTION of CARNES, the TMAPC voted 7-0-0 (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Neely, Parmele, Selph "absent") to RATIFY the above-listed lot splits having received prior approval.

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**CONTINUED ZONING PUBLIC HEARING:**

**Z-5956-SP-1 Qureshi (PD-18) (CD-8)** 10750 E. 61st Street  
Corridor Site Plan

Chairman Doherty announced receipt of a timely request for continuance. He noted this is the second time a continuance has been requested. Staff has advised additional time is needed for review.

**TMAPC Action; 7 members present:**

On MOTION of WILSON, the TMAPC voted 7-0-0 (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Neely, Parmele, Selph "absent") to CONTINUE Z-5956-SP-1 to October 28, 1992.

\* \* \* \* \*

**ZONING PUBLIC HEARING**

ZONING PUBLIC HEARING

Application No.: Z-6370 Present Zoning: AG  
Applicant: Mary Bulten Proposed Zoning: CG  
Location: South of the southeast corner of Elwood Avenue and 71st Street South  
Date of Hearing: October 7, 1992  
Presentation to TMAPC: Mary Bulten, Jerry Richardson

**Relationship to the Comprehensive Plan:**

The District 8 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- No Specific Land Use on the extreme south 190' of the tract and Medium Intensity -- No Specific Land Use on the north 140' and Development Sensitive on the southern 190' of the tract.

According to the Zoning Matrix the requested CG District is not in accordance with the Plan Map on the southern 190' of the tract and may be found in accordance on the remainder of the tract.

**Staff Recommendation:**

**Site Analysis:** The subject tract is approximately 2.5 acres in size and is located south of the southeast corner of Elwood Avenue and 71st Street South. It is partially wooded, gently sloping, contains a single-family dwelling and is zoned AG.

**Surrounding Area Analysis:** The tract is abutted on the north by a vacant tract zoned AG; on the east by a vacant tract zoned AG; on the south by a single-family dwelling zoned AG; and on the west by a vacant tract zoned AG.

**Zoning and BOA Historical Summary:** CS zoning has been approved on two tracts which front on 71st Street South, but no requests for commercial zoning have been received on tracts which do not front 71st Street.

**Conclusion:** The northern 140' of the tract is planned to potentially accommodate CS use. The southern portion is not. Staff feels the southern portion of this tract should be used to establish a buffer area between CS and low intensity uses to the south. It would also show that CS would not be allowed outside the planned 40 acre node.

Therefore, Staff recommends DENIAL of CG zoning and **APPROVAL** of CS on the north 140' of the subject tract and OL on the remainder of the tract.

Applicant's Comments

Mary Bulten

9225 S 85th East Avenue 74133

Jerry Richardson

7227 S. Elwood 74132

Ms. Bulten explained that it is her intention to move the sales office of her fence company to this location. Ms. Bulten advised she applied for CG zoning because it was explained to her that this tract was planned for commercial sales use in the future. This would allow for future expansion of her fencing business.

Interested Parties

**Darla Hall**

Councilor Hall expressed concern over the lack of signal lights at 71st Street and Elwood and the resultant increased traffic danger. Councilor Hall expressed reservations over commercial encroachment south on Elwood. Councilor Hall advised City Traffic Engineering has agreed that a signal light is needed at 71st and Elwood; however, they advise there is no money budgeted at this time to do so. Also of concern are school buses crossing 71st Street going north to 61st Street at this intersection. Councilor Hall cited this as an instance why traffic is currently backing up. Councilor Hall indicated support of commercial zoning for the corners, but going south into the residential areas, she feels, is encroachment.

**Jack Heath**

7505 S. Elwood 74132

**Damon Horton**

7510 S. Elwood 74132

**Melton Hair**

7701 S. Elwood 74132

**Maxine Beall**

310 W. 71st St. 74132

**Steve Ragland**

7251 S. Elwood 74132

**Nancy Kincaid**

7500 S. Elwood 74132

The above-listed individuals stated the following concerns:

A change in zoning would violate the integrity of their neighborhood and cause a decline in property values.

Concerns were expressed over the increase of traffic caused by a sales office and future expansion adding to an already dangerous and overburdened traffic problem.

Opposition was voiced to the type of business intended and possible outside storage of materials that goes along with a fence company.

One individual cited instances of complaints against this fence company at its present location.

One individual advised that he understood that eventually CS would be at one corner. QuikTrip is expecting to build there and he advised this would be compatible with the area. This would be a class of commercial business that residents would approve.

The Planning Commission was urged to develop with scrutiny and forethought and not to mix zoning.

Concerns were expressed over value of property decreasing due to this type business locating near residentially zoned properties.

A petition of eighteen signatures of residents opposing the change in zoning was distributed to the Planning Commission. Pictures of homes in the area were presented to the Planning Commission. Pictures of the fence company currently located at 91st and Elwood were also presented to the Planning Commission.

#### Applicant's Rebuttal

Ms. Bulten explained the fence company has been at its current location for several years and the property is being leased. They have many ideas for landscaping and displaying samples of their fencing without making it unattractive. She pointed out that they are at the northern part of the lot at the corner of 91st and Elwood and the south part of the lot is sublet. Ms. Bulten advised of only one complaint against the south lot, which does not belong to them. However, as a result of that complaint an area was fenced to satisfy the complaintant. Ms. Bulten advised that they are not a high traffic business and the majority of their work is done in the field. Ms. Bulten assured the Planning Commission that they want their business to be attractive and for customers to know they will construct an attractive product and, therefore, have no intention of trashing that area.

In response to a question from Chairman Doherty, Ms. Bulten confirmed the intended use of the tract of land in question would be exclusively a sales office. She pointed out this business does not store material on a long-term basis. The longest materials may be stored would be overnight, since materials are hauled to the site upon delivery.

Ms. Bulten presented the Planning Commission with a sketch of the existing site and their plans for development.

TMAPC Review Session

Mr. Parmele noted that 71st Street has been designated a Linear Development Area and specific guidelines have been set up to determine the depth to which CS zoning is allowed.

Mr. Gardner advised in this case the second tract is beyond the linear development area.

Discussion ensued among the Planning Commission expressing concern over commercial encroaching into residentially-zoned properties, and that should the present applicants choose to vacate the property, of the potential of violating the integrity of the area. There was lengthy discussion over this tract following the node concept.

In response to a question from Chairman Doherty, Mr. Gardner explained this is not spot-zoning for the northern portion of the tract because it is still within the node configuration.

Mr. Parmele declared a decision needs to be made whether to stay with the node concept or concentrate efforts on 71st Street and focus intensity on the commercial uses on 71st Street. Mr. Parmele expressed support of this approach rather than the node concept on this particular corner.

Mr. Carnes declared that the Planning Commission has already committed to the linear development at 71st Street and feels that ties their commitment.

TMAPC Action; 8 members present:

On MOTION of PARMELE, the TMAPC voted 7-1-0 (Ballard, Broussard, Carnes, Horner, Midget, Parmele, Wilson "aye"; Doherty "nay"; no "abstentions"; Buerge, Neely, Selph "absent") to recommend DENIAL of Z-6370.

LEGAL DESCRIPTION Z-6370

West 330' of the South 330' of the North 850' of the Northwest Quarter, Northwest Quarter, Section 12, Township 18 North, Range 12 East.

\* \* \* \* \*

ZONING PUBLIC HEARING

Application No.: **Z-6371** Present Zoning: RS-3  
Applicant: Joel Hersh/Braum's Proposed Zoning: CS  
Location: North of the northwest corner of 33rd West Avenue and  
51st Street South  
Date of Hearing: October 12, 1992

Relationship to the Comprehensive Plan:

The District 9 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity -- No Specific Land Use.

According to the Zoning Matrix the requested CS District is in accordance with the Plan Map.

Staff Recommendation:

**Site Analysis:** The subject tract is approximately 0.16 acres in size and is located 150' north of the northwest corner of 33rd West Avenue and 51st Street South. It is nonwooded, flat, contains a single-family dwelling and is zoned RS-3.

**Surrounding Area Analysis:** The tract is abutted on the north by single-family dwelling zoned RS-3; on the east across 33rd Avenue by businesses zoned CS; on the south by restaurant zoned CS; and on the west by single-family dwelling zoned RS-3.

**Zoning and BOA Historical Summary:** CS zoning has been approved across 33rd West Avenue and immediately south of this tract.

**Conclusion:** CS zoning would be appropriate for this tract if the tract is tied to the lots to the south to form a parcel with at least 150' of frontage on 33rd W. Avenue. That is the intent of the applicant (Braum's) and this could be accomplished during the platting or plat waiver process.

Therefore, Staff recommends **APPROVAL** of CS zoning for Z-6371.

There were no interested parties in attendance.

Staff Comments

Mr. Gardner explained Braum's will be expanding this use. Staff would not support this rezoning if it were not an expansion because there would not be enough frontage.

TMAPC Action; 8 members present:

On **MOTION** of **PARMELE**, the TMAPC voted **8-0-0** (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Neely, Selph "absent") to recommend **APPROVAL** of Z-6371 for CS zoning.

LEGAL DESCRIPTION Z-6371

Lot 9, Block 8, Carbondale III an addition in Tulsa County, State of Oklahoma.

\* \* \* \* \*

ZONING PUBLIC HEARING

Application No.: Z-6372 Present Zoning: RS-3  
Applicant: Charles Norman Proposed Zoning: IM, OL  
Location: West of the northwest corner of Harvard Avenue and Young Street  
Date of Hearing: October 12, 1992  
Presentation to TMAPC: Charles Norman

Relationship to the Comprehensive Plan:

The District 3 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- Residential.

According to the Zoning Matrix the requested IM and OL Districts are not in accordance with the Plan Map.

Staff Recommendation:

**Site Analysis:** The subject tract is approximately 16.5 acres in size and is located west of the northwest corner of Harvard Avenue and Young Street. It is nonwooded, vacant, and is zoned RS-3.

**Surrounding Area Analysis:** The tract is abutted on the north by vacant land zoned IM of which the west half is proposed as a new plat location for OK Fixtures; on the east by vacant land zoned CS; on the south by single-family dwellings zoned RS-3.

**Zoning and BOA Historical Summary:** There has been no recent zoning activity in the area. The BOA has approved a mobile home and a day care center in the area.

**Conclusion:** Although the current plan calls for this 300' wide tract to be developed residentially, it is unlikely it will do so since it abuts an IM district to the north. Staff thinks there could be a logical extension of the IM district into the 300' wide strip if a buffer area could also be established between the existing residential uses south of Young Street and industrial uses to the north. Non-residential access to Young Street should also be prevented.

Therefore, Staff recommends **APPROVAL** of IM on the north 100' of the subject tract and PK on the north 170' of the south 200' of the tract. This would provide a 30' strip of RS-3 zoning on the south side of the tract. Such a zoning pattern will accommodate OK Fixtures intended plant on the west 40 acres of the 80 acre tract of which this request is a part and limit use on the south side of the east 40 acres to parking which will form a buffer for the residential area. The 30' RS-3 strip will prevent non-residential use of Young Street.

Applicant's Comments

Mr. Norman, attorney representing the applicant, voiced concern over the future use of the east 40 acres and its relationship to the existing single-family area on the south side of Young Street where residences face north into the property. Mr. Norman advised that the applicant is not in disagreement with staff with objectives; there is no intent for development on the south part of the property that would adversely affect the neighborhood. Mr. Norman conveyed disagreement with the amount of the adjustment. The applicant is requesting IM on the north of 150', retain RS-3 on the south 21', and parking (PK) on the remaining 129'. Mr. Norman revealed the applicant would be applying to the Board of Adjustment for a modification in screening to permit a security fence with landscaping instead of a solid board fence.

Interested Parties

**Anthony Moss**

**2272 N. Evanston Pl. 74110**

Mr. Moss expressed concern over safety of children in the area, and requested a cul-de-sac or turn-around to provide for vehicles to avoid doing so in a residential driveway when vehicles enter this dead end street.

Mr. Norman surmised there would not be enough room to provide a cul-de-sac. In this area the detention facility is being graded to within 20 feet of the boundary line. The fence is presently required to be placed on the property line; however, the applicant would prefer to install a different kind of fence from what is required and plant trees along this area. Mr. Norman explained there is a permanent drainage and detention easement over the south 150 feet in the west half. This area will be sodded and there will be a trickle channel in the bottom. Mr. Norman offered to review the development plan with Mr. Moss.

**Alton Swinney**

**2277 N. Evanston Pl. 74110**

Mr. Swinney advised his home is at the end of the street. Mr. Swinney expressed concern over the detention pond and that it will hold water for long periods of time, creating a danger to area children. Mr. Swinney also voiced concern over the lack of plans for a cul-de-sac.

Mr. Doherty explained that this is a dry detention facility; it will be drained by a pipe and the area will be fenced.

Mr. Swinney expressed concern over the type of screening fence that will be installed.

**Tracy Price**

**2265 N. Evanston Pl. 74110**

Ms. Price echoed concerns expressed by Mr. Moss and Mr. Swinney, reiterated the need for a turn-around and was concerned over the type of fencing.

**TMAPC Action; 8 members present:**

On MOTION of MIDGET, the TMAPC voted 8-0-0 (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Neely, Selph "absent") to recommend APPROVAL of Z-6372 as requested by the applicant at the meeting.

**LEGAL DESCRIPTION Z-6372**

IM: The north 150' of the south 300' of the following described tract of land: The North Half of the Northeast Quarter (N/2, NE/4) of Section 29, Township 20 North, Range 13 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, less and except the East 230' thereof.

PK: The north 129' of the south 150' of the following described tract of land: The North Half of the Northeast Quarter (N/2, NE/4) of Section 29, Township 20 North, Range 13 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, less and except the East 230' thereof.

\* \* \* \* \*

ZONING PUBLIC HEARING

Application No.: Z-6373 Present Zoning: RM-1  
Applicant: TMAPC Proposed Zoning: RS-4  
Location: Brady Heights/Cheyenne Park Neighborhoods  
Date of Hearing: October 7, 1992  
Presentation to TMAPC: Donna Peters

**Relationship to the Comprehensive Plan:**

The District 2 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- No Specific Land Use from Fairview Street north to Marshall Street and as Special District #1 Neighborhood Development Program.

According to the Zoning Matrix, the requested RS-4 District is in accordance with the Plan Map.

**Staff Recommendation:**

**Site Analysis:** The subject tract is approximately 195 acres in size and is located generally between Osage Expressway, Pine Street, Cincinnati Avenue, and Fairview Street. It is partially wooded, gently sloping, contains predominantly single-family residential structures with some vacant lots, and is zoned RM-1 Multifamily.

**Surrounding Area Analysis:** The tract is abutted on the north and east by single-family residential zoned RS-3; on the south by a mixture of single-family residential, commercial, and the Crosstown Expressway zoned RS-3, CS, and CG; and on the west by Osage Expressway zoned RS-3.

**Zoning and BOA Historical Summary:** Zoning Ordinance 11918 dated 9-1-70 established zoning for the subject area. Four requests to rezone residential properties to CH or CS were denied between 1972-78. One request to rezone OL property to CS was denied in 1971. A request to rezone residential property to CG was recommended for approval by the Planning Commission, but approved as CS by the City Commission in 1971. Two CS-zoned nodes at Latimer and the back lot line of Denver/Cheyenne and at Latimer and Main Street are not included in this proposed rezoning.

**Conclusion:** The area was rezoned RM-1 in anticipation of development approximately 30 years ago. The area has remained predominantly single-family residential in nature (96% of land use). As such, rezoning to RS-4 Single-Family Residential is recommended. Two information packets have been mailed to area residents. Staff held a neighborhood meeting in late August to discuss the rezoning. No written objections have been received.

Therefore, staff recommends **APPROVAL** of RS-4 Single-family Residential zoning. Staff finds the uses and intensities of existing development to be in harmony with the spirit and intent of the Code.

Staff Comments

Ms. Peters assured the Planning Commission that every property owner in this area has received notice of this action. Ms. Peters advised that no letters of objection have been received, although at a neighborhood meeting Jerry and Susan Sokol, owning properties in the boundary area, have indicated they do not support the rezoning. Ms. Peters pointed out that Mr. Sokol has received all the notices in regard to today's public hearing and is not in attendance.

Chairman Doherty noted that most of this area is currently zoned RM-1. There are some commercially-zoned properties within the area, which will not be affected.

Ms. Peters advised that commercial properties were excluded from the notice.

Interested Parties

Bill Packard	752 N. Denver	74106
Louise Jetton	1148 N. Boston	74106
Alma Haywood	1334 N. Cincinnati	74106
Lucinda Wells	1347 N. Boston Pl.	74106
Richard Johnson	214 W. Oklahoma	74106
Ann Matthews	1108 N. Denver	74106

Jacqueline Cloud	718 N. Cheyenne	74106
Terry McDaniel	902 N. Denver	74106
Tim Williams	627 N. Cheyenne	74106
Cathryn Young	1140 N. Denver	74106
Wess Young	1140 N. Denver	74106
Cherokee Pettis	708 N. Cheyenne	74106
Minnie Lindley	1528 N. Main	74106
Margaret Wilson	1511 N. Main	74106

The above-listed individuals were in favor of the application for Z-6373.

There were no interested parties present opposing the application.

**TMAPC Action; 8 members present:**

On MOTION of MIDGET, the TMAPC voted 8-0-0 (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Neely, Selph "absent") to recommend APPROVAL of Z-6373 for RS-4 zoning as recommended by Staff.

**Legal Description**

Hobbs Addition, Block 1, Lots 1-22, Block 2, Lots 1-9; Beauchamp Addition, Block 1, Lots 1-13, Block 2, Lots 1-3; Clarence Lloyd Addition, Block 1, Lots 13-23, Block 2, Lots 3-22, Block 3, Lots 3-22, Block 4, Lots 3-24; Clarence Lloyd Subdivision, Lots 3-10; Grandview Place Addition, Block 1, Block 2, Lots 1-14; Grandview Place 2nd Addition, Block 1; Kraatz Gerlach Addition; Cliness Crest Addition, Blocks 1 and 2; Aircrest Addition; Bragassa's Subdivision, Blocks 1 and 2; Hudson Addition, Blocks 1 and 2; Pouder and Pomeroy Addition; Pouder and Pomeroy 2nd Addition; Kirkpatrick Heights Addition, Blocks 1, 2 and 3; Burgess Hill Addition, Block 5, Lots 1-6, Block 6, Lots 1-6, Block 7, Lots 1-6, Block 8, Lots 1-6, Block 9, Lots 1-5, Lots 8-12 and the east 73.1 feet of Lot 6 and the west 73.1 feet of Lot 7, Block 10, Lots 3-10, and the east 73.1 feet of Lots 1 and 2, and the west 73.1 feet of Lots 11 and 12, Block 11 and 12, Block 13, Lots 7-12, Block 14, Lots 12-22, Block 15, Block 16, Lots 2-12, Block 17, Lots 1-5 and Lots 7-12, Block 18, Lots 1-6 and Lots 8-12, Block 19, Lots 1-11, Block 20; Brady Heights Addition, Block 1, Block 2, Lots 1-5, Block 5, Lots 1-5, Block 6; North Tulsa Addition, Block 4, Lots 1-8, Block 5, Lots 1-8 and Block 7, Lots 1,2,9, and 10.

\* \* \* \* \*

**OTHER BUSINESS**

**PUD 385-5:** Minor Amendment to Remove a Screening Requirement, S. Utica and 71st Street South

PUD 385 is a shopping center facing south and east with the rear of the center adjacent to the Joe Creek Channel. Farther to the west across the over-300' wide Joe Creek drainage easement is an apartment complex. The applicant is requesting an amendment to remove the screening fence requirement on the west side of the property abutting Joe Creek. Staff can support this amendment as long as the trash receptacles on the west side of the shopping center are properly screened from public view after the screening fence is removed. The distance between the apartments to the west and the shopping center is the reason Staff feels the residential area would not be adversely affected.

Therefore, Staff recommends approval of minor amendment PUD 385-5 subject to approval of a revised site plan showing the location and screening of all trash receptacles in the PUD.

**Staff Comments**

Mr. Stump advised the applicant is still required to screen any dumpsters, etc. that are placed in this area. Mr. Stump advised the existing fence is dilapidated and is not accomplishing its intended purpose, considering the distance it is from the apartments.

Mr. Carnes advised this is a typical circumstance faced with screening fences. They become old and deteriorated, then become a place to collect trash and for people to hide behind.

There were no interested parties present.

**TMAPC Action; 7 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Neely, Parmele, Selph "absent") to **APPROVE** Minor Amendment PUD-385-5 as recommended by Staff.

\* \* \* \* \*

**PUD 266-2:** Minor amendment of required number of off-street parking spaces and Detail Site Plan review. Located east of the southeast corner of East 51st Street South and South Delaware Place.

PUD 266 is 8.82 acres in size and was approved in 1981 for 212 apartment units. A total of 346 off-street parking spaces are required, with 323 spaces currently in place. The applicant was approved for a variance to 323 spaces by the Tulsa Board of

Adjustment at the September 22nd meeting subject to the submitted site plan.

Staff is supportive of the requested minor amendment and would recommend approval per the applicant's plan.

Detail Site Plan

Staff recommends approval of the revised detail site plan containing 323 off-street parking spaces subject to TMAPC approval of minor amendment PUD 266-2.

Staff Comments

Mr. Stump advised the original site plan indicated 20%-25% compact automobile parking spaces. When the actual striping took place, it was striped at full-size spaces, creating a shortage of twenty or more spaces. Since the BOA has granted a variance, it will now comply with the zoning code. Mr. Stump added there does not appear to be a problem with parking in the complex.

There were no interested parties present.

TMAPC Action; 7 members present:

On MOTION of HORNER, the TMAPC voted 7-0-0 (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Neely, Parmele, Selph "absent") to APPROVE Minor Amendment PUD 266-2 and Detail Site Plan.

\* \* \* \* \*

**PUD 288** Detail Site Plan and Modification of Required Rear Yard Lot 9, Block 2, Eight Acres , Birmingham Avenue south of 26th Place south

The applicant is requesting Detail Site Plan approval for a single-family dwelling on Lot 9, Block 1 of Eight Acres subdivision. Generally, dwellings must comply with the yard requirements of the RS-1 district, with the exception of the front yard which may be a minimum of 30'. The PUD does provide, however, that TMAPC may modify these required yards as part of a Detail Site Plan review. The applicant is requesting such a modification of the required rear yard from 25' to 18' to permit the intrusion of the corner of the roof of an open porch and the corner of one of the rooms of the house. Staff feels neither of these intrusions will have a significant impact on surrounding dwellings, and similar reductions have been granted on other lots in the PUD.

Therefore, staff recommends APPROVAL of the Detail Site Plan for Lot 9, Block 1 with the reduction in the required yard as shown.

There were no interested parties present.

**TMAPC Action; 7 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Neely, Parmele, Selph "absent") to **APPROVE** the reduction in required rear yard per the Detail Site Plan and **APPROVE** the Detail Site Plan.

\* \* \* \* \*

PUD 481: Detail Sign Plan - Western National Bank - Development Area D -- Northwest corner of 71st Street South and the Mingo Valley Expressway

Staff has reviewed the Detail Sign Plan for a ground sign for Western National Bank in Development Area D and finds it to be in conformance with the PUD conditions. Therefore, Staff recommends **APPROVAL**.

**and**

PUD 481: Detail Sign Plan - Homebase -- Development Area "A" Northwest corner of East 71st Street South and the Mingo Valley Expressway

Staff has reviewed the Detail Sign Plan for wall signs for Homebase in Development Area "A" and finds them to be in conformance with the PUD conditions. Therefore, Staff recommends **APPROVAL** per plans submitted.

There were no interested parties present.

**TMAPC Action; 7 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Neely, Parmele, Selph "absent") to **APPROVE** PUD 481 Detail Sign Plan for Homebase and Western National Bank Development areas A and D.

\* \* \* \* \*

PUD 491-2: Minor Amendment to permit emergency access gate along South Owasso Avenue and Detail Site Plan review -- Southwest corner of East 39th Street South and South Peoria Avenue

The applicant is requesting a minor amendment and detail site plan review to permit an emergency access gate to South Owasso Avenue at the request of the Fire Marshall's office. After review of the revised plan and discussion with the Fire Marshall's office, Staff is supportive of the request and recommends **APPROVAL** subject to the following conditions:

1. The emergency access gate location be shown on the applicant's submitted site plan
2. The emergency access gate shall be 8' in height and of the same color as the exterior building finish.
3. The driveway shall consist of pavecrete or a similar material which will support the weight of a fire truck and still permit grass to grow through.
4. The gate shall have a similar appearance to the wall.

Staff Comments

Mr. Stump noted the original PUD prohibited any access to Owasso Avenue because of houses facing directly into that area. Mr. Stump advised adding to the conditions that the gate also have a similar appearance to the wall and should be solid so it would look as much like a wall as possible. Staff is recommending approval.

The applicant expressed approval of Staff recommendation.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Neely, Parmele, Selph "absent") to **APPROVE** PUD 491-2 Minor Amendment and Detail Site Plan per Staff recommendation.

\* \* \* \* \*

PUD 208-5: Minor Amendment to increase the permitted display surface area of a ground sign -- southeast corner of 71st Street South and Yale Avenue.

The applicant is requesting to increase the permitted amount of display surface area for the shopping center identification sign from 35 SF to 96 SF. The PUD was originally approved with only one ground sign allowed, that being a 32 SF, 5' high shopping center identification sign. Subsequently this sign was increased to 35 SF and 15' in height by TMAPC. Then a later minor amendment allowed two additional ground signs with a maximum height of 8' and display surface area of 64 SF. A subsequent request for an additional ground sign was denied by TMAPC.

Staff believes this proposed amendment will, along with the previous increases in signage, produce a major deviation from the originally approved PUD. Because of this, Staff recommends considering this a **Major Amendment** or **DENYING** the request as not being in keeping with the original PUD.

#### Staff Comments

Mr. Stump reminded the Planning Commission of additional signage the applicant has requested in this area that the Planning Commission rejected, and directed the applicant that any additional signage would require a major amendment to the PUD, since there has been such major increases in signage from that originally approved.

Chairman Doherty noted that the Planning Commission has previously denied a request for additional signage and Staff had previously recommended that any additional requests be processed as a major amendment because of the number of changes to the PUD.

#### Applicant's Comments

**Kent Basnett**

**6814 South 32nd West Avenue**

Mr. Basnett, agent for the property owner, advised that tenant recognition is a major problem being experienced at this location. Mr. Basnett referred to an exhibit he distributed, and noted that no additional space is being taken up by the proposed sign. He noted that the proposed sign would be no taller or wider than the existing sign. Mr. Basnett presented letters from the tenants soliciting Planning Commission support.

#### TMAPC Review

Mr. Carnes voiced support of considering this item as a major amendment.

Chairman Doherty advised one of the problems is attempting to spread intensities into the interior with a PUD and then trying to accommodate signage on the arterial after spreading the use. Chairman Doherty expressed having a problem with this request since there are two other ground signs on this PUD.

Ms. Wilson voiced support of consideration as a major amendment.

Mr. Midget expressed support of assisting the businesses in the area to obtain recognition.

**TMAPC Action; 8 members present:**

On MOTION of WILSON, the TMAPC voted 7-0-1 (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Wilson "aye"; no "nays"; Parmele "abstaining"; Buerge, Neely, Selph "absent") to CLASSIFY this request as a Major Amendment.

\* \* \* \* \*

**PUD 474-1** Approval of Amended Declaration of Covenants,  
1325 East 35th Place

**Staff Comments**

Mr. Stump advised a provision be added that states," subject to any additional requirements of PUD 474, as amended."

**TMAPC Action; 8 members present:**

On MOTION of MIDGET, the TMAPC voted 8-0-0 (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Neely, Selph "absent") to APPROVE PUD 474 amended Declaration of Covenants as recommended by Staff.

\* \* \* \* \*

**PUD 244:** Detail Sign Plan Review -- Located at the southwest corner of East 51st Street South and South Yale Avenue.

The applicant is requesting detail sign plan approval to reinstall a project identification sign that was removed in the widening of South Yale Avenue. Staff has reviewed the proposed plan and finds it in conformance with the PUD. Therefore, Staff recommends APPROVAL of the detail sign plan as submitted.

**Staff Comments**

Mr. Stump noted the new location is within 150' of an apartment complex boundary and is adding a condition that either the sign be moved 150' from the residential district or receive a variance from the Board of Adjustment.

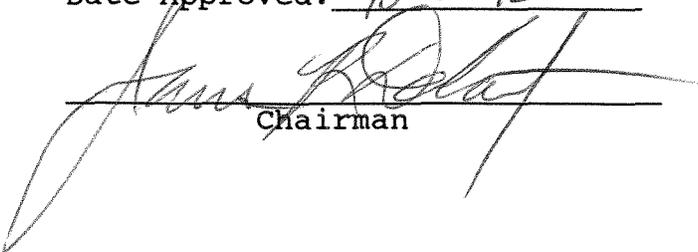
**TMAPC Action; 8 members present:**

On MOTION of , the TMAPC voted 8-0-0 (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Neely, Selph "absent") to APPROVE PUD 244 Detail Sign Plan as recommended by Staff.

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There being no further business, the Chairman declared the meeting adjourned at 3:25 p.m.

Date Approved: 10-28-92

  
\_\_\_\_\_

Chairman

ATTEST:

  
\_\_\_\_\_

Secretary